

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 24-cr-151 (ECT/TNL)

Plaintiff,

v.

ORDER

Paul Antonio Early,

Defendant.

This matter comes before the Court on Defendant Paul Antonio Early's Motion to Continue Motions Filing Date, ECF No. 37, and Motion for Leave to File, ECF No. 38. Due to a personal emergency defense counsel was unable to file a timely continuance request and seeks leave to do so. *Id.* The Court finds good cause to grant the requested leave. Furthermore, Defendant requests a two-week extension of the supplemental motions filing deadline due to voluminous video discovery that was recently produced with one video still pending disclosure. ECF No. 37. The Government has no objection to Defendant's request. *Id.*

Although Defendant did not request exclusion under the Speedy Trial Act, the Court finds pursuant to 18 U.S.C. § 3161(h), that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial, and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Continue Motions Filing Date, ECF No. 37, is **GRANTED**.

2. Defendant's Motion for Leave to File, ECF No. 38, is **GRANTED**.

3. The period of time from **the date of this Order through February 4, 2025**, shall be excluded from Speedy Trial Act computations in this case.

4. All supplemental motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **February 4, 2025**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

5. **Counsel shall electronically file a letter on or before February 4, 2025, if no motions will be filed and there is no need for a hearing.**

6. All responses to supplemental motions shall be filed by **February 18, 2025**. D. Minn. LR 12.1(c)(2).

7. Any Notice of Intent to Call Witnesses shall be filed by **February 18, 2025**. D. Minn. LR 12.1(c)(3)(A).

8. Any Responsive Notice of Intent to Call Witnesses shall be filed by **February 21, 2025**. D. Minn. LR 12.1(c)(3)(B).

9. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

a. The Government makes timely disclosures and a defendant pleads

particularized matters for which an evidentiary hearing is necessary;
or

- b. Oral argument is requested by either party in its motion, objection or response pleadings.

10. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **February 25, 2025 at 9:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

11. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:**
the following trial and trial-related dates are:

Counsel should submit two hard copies of trial briefs, voir dire, proposed jury instructions, exhibit and witness lists, and trial-related motions (including motions in limine) to District Judge Eric C. Tostrud's chambers on or before *a date to be determined*. In addition, counsel should email the proposed jury instructions and exhibit and witness lists to: tostrud_chambers@mnd.uscourts.gov.

Judge Tostrud will hold a final pretrial on *a date to be determined* in **Courtroom 7D**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

This case must commence trial on *a date to be determined* before District Judge Tostrud in **Courtroom 7D**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Tostrud to confirm the new trial date.**

Dated: January 31, 2025

/s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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